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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 11th December, 1970:—

BILL No. XXXVIII OF 1970

A bill further to amend the Constitution of India

BE it enacted by Parliament in the Twenty-first Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Constitution (Amendment) Act, 1970. short title and extent.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

2. After article 29 of the Constitution, the following article shall be inserted, namely:— Insertion of new article 29A.

"29A. Every citizen of India until he completes the age of fourteen years shall have the right to free and compulsory education." Right to free and compulsory education.

3. Article 45 of the Constitution of India shall be omitted Omission of article 45.

STATEMENT OF OBJECTS AND REASONS

Education is the basic need of a human being and it is widely accepted that right to have education should be a fundamental right which should not be denied to any human being. In our Constitution a number of Fundamental Rights have been incorporated but the right to education does not find a place therein. Article 45 of the Directive Principles of State Policy has not been implemented with seriousness by the State Government and the Centre as well.

As a result, it has been converted into a mere pious wish. Even after two decades of independence in our country, the number of illiterate and out-of-school children is the largest in the world. To cope with this situation and to keep pace with the economic development in the country the role of functional literacy is unique. To accelerate the rate of literacy it is deemed necessary to make education free, universal and compulsory. The proposed Bill seeks to achieve this object.

PRANAB KUMAR MUKHERJEE

FINANCIAL MEMORANDUM

Clause 8 of the Bill directs the Government to provide for free, compulsory and universal education. This will involve considerable expenditure from the Consolidated Fund of India, which is expected to be of the order of rupees 25 crores per year.

BILL No. XXVII OF 1970

A bill further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-first year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Constitution (Amendment) Act, 1970.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Insertion of new article 16A.

2. After article 16 of the Constitution, the following article shall be inserted, namely:—

Right of employment and unemployment allowance.

"16A. Every citizen above eighteen years of age shall have the right to employment and in the event of his failure to procure any employment, he shall be entitled to an unemployment allowance to be paid by the State at such rate as may be prescribed by the Government concerned from time to time by public notification."

STATEMENT OF OBJECTS AND REASONS

Article 39(*a*) which occurs in Part IV of the Constitution enjoins upon the State to direct its policy towards securing the citizens, men and women equally, the right to an adequate means of livelihood. Mainly because the provisions of Part IV are not justiciable, the State has done precious little so far towards fulfilling this directive. The present dispensation which does not guarantee the right to employment, is slowly and imperceptibly corroding the people's faith and confidence in the present set-up and leading the country to the brink of a cataclysm. The Directive Principles of State Policy are certainly not meant to be platitudes but the corner-stone, the substratum and the nucleus of the State activity. This Bill, therefore, seeks to guarantee the right to employment and make it justiciable.

SHYAM LAL YADAV.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for unemployment allowance to those citizens who fail to procure any employment for themselves. It will involve annual recurring expenditure for the Union Government in respect of citizens remaining unemployed in Union territories, the exact estimate of which, in the absence of any authoritative figure of unemployment, cannot be worked out. Further, the rate of unemployment allowance would vary from time to time and from State to State. However, it is expected that the annual recurring expenditure on this account is not likely to exceed Rs. 60 crores so far as the Central Government is concerned. As regards the expenditure that would be incurred by the State Governments on this account is concerned, it is not possible to give even an approximate estimate of the amount involved.

The Bill does not involve any non-recurring expenditure.

B. N. BANERJEE,
Secretary.

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